

THIRTY-SIXTH DAY
(Monday, March 16, 1981)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Andujar, Blake, Brooks, Caperton, Doggett, Farabee, Glasgow, Harris, Howard, Jones, Kothmann, Leedom, Mauzy, Meier, Mengden, Ogg, Parker, Richards, Santiesteban, Sarpalius, Short, Snelson, Traeger, Travis, Truan, Uribe, Williams, Wilson.

Absent-excused: Brown, McKnight, Vale.

A quorum was announced present.

The Reverend Dr. Gerald Mann, Senate Chaplain, offered the invocation as follows:

Lord, let us uphold the virtues we learned at mother's knee, and forget the vices we picked up at other joints. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 12, 1981, was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator Brown was granted leave of absence for today on account of important business on motion of Senator Howard.

Senator McKnight was granted leave of absence for today on account of important business on motion of Senator Harris.

Senator Vale was granted leave of absence for today on account of important business on motion of Senator Williams.

MESSAGE FROM THE HOUSE

House Chamber
March 16, 1981

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S.B. 480, Relating to the licensing and regulation of radioactive material; providing penalties. (With amendments)

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

CO-AUTHOR OF SENATE BILL 105

On motion of Senator Farabee and by unanimous consent, Senator Andujar will be shown as Co-author of **S.B. 105**.

CO-AUTHOR OF SENATE BILL 614

On motion of Senator Ogg and by unanimous consent, Senator Mengden will be shown as Co-author of **S.B. 614**.

CO-AUTHORS OF SENATE BILL 883

On motion of Senator Mauzy and by unanimous consent, Senators Doggett and Caperton will be shown as Co-authors of **S.B. 883**.

CO-AUTHORS OF SENATE BILL 884

On motion of Senator Mauzy and by unanimous consent, Senators Doggett, Parker, Uribe and Caperton will be shown as Co-authors of **S.B. 884**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 33

On motion of Senator Caperton and by unanimous consent, Senator Leedom will be shown as Co-author of **S.J.R. 33**.

CO-AUTHORS OF SENATE JOINT RESOLUTION 44

On motion of Senator Mauzy and by unanimous consent, Senators Doggett, Parker, Uribe and Caperton will be shown as Co-authors of **S.J.R. 44**.

BILL SIGNED

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bill:

S.B. 118**REPORT OF STANDING COMMITTEES**

Senator Harris submitted the following report for the Committee on Economic Development:

C.S.S.B. 487 (Read first time)
C.S.S.B. 784 (Read first time)
C.S.S.B. 479 (Read first time)
C.S.S.B. 918 (Read first time)
C.S.S.B. 869 (Read first time)

HOUSE RESOLUTIONS ON FIRST READING

The following resolutions received from the House were read the first time and referred to the Committee indicated:

H.C.R. 20, To Committee on Administration.
H.C.R. 90, To Committee on Administration.

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

S.B. 962 by Farabee State Affairs
Relating to the powers of a corporation engaged in the business of transporting carbon dioxide.

S.B. 963 by Williams, Andujar Finance
Relating to application for a residence homestead exemption.

S.B. 964 by Caperton Intergovernmental Relations
Relating to the qualifications of the judge of the County Court at Law of Walker County.

S.B. 965 by Caperton Jurisprudence
Relating to filing an appeal bond with a juvenile court when an order of that court is appealed to a court of appeals; amending Subsection (e), Section 56.01, Family Code.

S.B. 966 by Caperton State Affairs
Relating to liability insurance coverage for officers and employees of state departments and agencies; amending Section 1, Chapter 797, Acts of the 61st Legislature, 1969, as amended (Article 6252-19a, Vernon's Texas Civil Statutes).

S.B. 967 by Blake Natural Resources
Relating to River Authority Directors—fees and expenses.

S.B. 968 by Glasgow Jurisprudence
Relating to the introduction of social history including the juvenile record of the defendant at time of sentencing.

S.B. 969 by Glasgow, Mengden Jurisprudence
Relating to enhanced penalties for offenses against the elderly and the handicapped.

S.B. 970 by Glasgow Finance
Relating to the appraisal of privately owned airport property restricted to use by the public.

S.B. 971 by Brown Natural Resources
Relating to the issuance of a commercial fishing boat license and a commercial shrimp boat license.

S.B. 972 by Brown, Sarpalius Human Resources
Relating to the duties of the Local Registrar to strictly enforce the provisions of the Act; giving the State Registrar supervisory authority over Local Registrars, Deputy Local Registrars, and Subregistrars; giving the State Registrar investigatory power; and authorizing the State Registrar to report violations of the Act to appropriate County or District Attorney; charging the County or District Attorney with prompt and proper handling of the charges; allowing the State Registrar to request the assistance of the Attorney General; amending Section 23, Chapter 41, Acts of the 40th Legislature, 1st Called Session, 1927, as amended (Rule 55a, Article 4477, Vernon's Texas Civil Statutes), is amended to read as follows:

S.B. 973 by Brown, Sarpalius Human Resources
Relating to the authority of the State Registrar of Vital Statistics and Local Registration Official to refuse to issue certified copies of birth, death or fetal death records; providing for notice to persons applying for such certified copies and an opportunity for a hearing.

S.B. 974 by Farabee State Affairs
Relating to the distribution of the proceeds received from the sale of certain highway rights-of-way.

S.B. 975 by Farabee Economic Development
Relating to the regulation of monopolies, contracts, combinations and conspiracies in restraint of trade or commerce; providing penalties; amending Sections 15.01, 15.02, 15.03, 15.12, 15.13, 15.14, 15.15, 15.16, 15.19, 15.20, 15.21, 15.29, 15.30, 15.31, 15.32, 15.33, Chapter 15, Title 2, Business and Commerce Code, as amended; repealing Section 15.04, 15.06, Chapter 15, Title 2, Business and Commerce Code, as amended; adding Sections 15.23, 15.35, Chapter 15, Title 2, Business and Commerce Code; and declaring an emergency.

S.B. 976 by Wilson Natural Resources
Relating to the application of the Uniform Wildlife Regulatory Act to fish and other aquatic life in Coletto Creek Reservoir in Goliad County.

S.B. 977 by Mauzy, Parker, Ogg Intergovernmental Relations
Relating to adoption of programs by home rule cities to increase participation by minority business enterprises in contract awards; amending Section 1, Chapter 72, Acts of the 60th Legislature, Regular Session, 1967, as amended (Article 6252-16, Vernon's Texas Civil Statutes); and declaring an emergency.

S.B. 978 by Howard Economic Development
Relating to industrial development corporations.

S.B. 979 by Mauzy Jurisprudence
Relating to venue in civil actions; amending Article 1995, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

S.B. 980 by Doggett, Brooks, Glasgow Human Resources
Relating to regulation of the practice of osteopathic medicine; providing penalties.

S.B. 981 by Williams, Brown, Ogg, Brooks, Mengden, Richards, Andujar Finance
Relating to postponing full implementation of appraisal districts in major metropolitan areas.

S.B. 982 by Mauzy Jurisprudence
Relating to certain safety procedures to be followed by an employer covered by worker's compensation insurance.

S.B. 983 by Brown Natural Resources
Relating to the prohibition of motor vehicles on coastal beaches; providing penalties.

S.B. 984 by Traeger Economic Development
Relating to the penalties for certain interest that is contracted for, charged or
received.

S.B. 985 by Brooks Economic Development
Relating to coverage for mental illness in accident and sickness insurance
policies.

S.B. 986 by Sarpalius Economic Development
Relating to order of benefits determination.

S.B. 987 by Sarpalius Intergovernmental Relations
Relating to correction of surveys of and patents to real property in certain
counties.

S.B. 988 by Richards
Relating to abolition of the Merit System Council of the Texas
Commission and creation of the Texas Merit System Council.

S.B. 989 by Santiesteban Natural Resources
 Relating to issuance of certain permits for oil and gas development on public
 school land; providing a penalty.

S.B. 990 by Santiesteban State Affairs
 Relating to inspection of vehicles registered or titled in another state before
 registration or issuance of title in the State of Texas.

S.B. 991 by Parker State Affairs
 Relating to notice requirements, violations, and the requirement to keep
 minutes under the open meetings law.

S.B. 992 by Jones Jurisprudence
Relating to the state's liability for and defense of claims based on conduct of certain medical consultants to the Texas Rehabilitation Commission.

S.B. 993 by Truan State Affairs
 Relating to the creation of the State Ethics Commission; providing a penalty.

S.B. 994 by Truan State Affairs
 Relating to the inclusion of certain prior service of members of the Employees Retirement System of Texas as creditable service; amending Article 6228a, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

S.B. 995 by Vale **Human Resources**
 Relating to administrative hearings for convalescent and nursing homes and related institutions; amending Chapter 413, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 4442c, Vernon's Texas Civil Statutes), by adding Section 9A.

S.B. 996 by Vale Intergovernmental Relations
Relating to the definition of "paid fireman"; amending Subdivision (5) of Subsection (a) of Section 2, Chapter 86, Acts of the 60th Legislature, Regular Session, 1967, as amended (Article 6228f, Vernon's Texas Civil Statutes).

S.B. 997 by McKnight Natural Resources
Relating to the authority of the commissioner of labor and standards to perform functions regarding residential energy conservation.

S.B. 998 by McKnight Natural Resources
Relating to the regulation of natural and synthetic gas.

S.B. 999 by Glasgow Intergovernmental Relations
Relating to the jurisdiction of the County Court of Denton County and the transfer of cases between the county courts.

S.B. 1000 by McKnight, Glasgow, Jurisprudence
Travis
Relating to defects in indictments and informations.

S.B. 1001 by Andujar State Affairs
Relating to assessments imposed on public utilities under the jurisdiction of the Public Utility Commission; requiring the Commission to report to the Legislature; amending Section 78, Public Utility Regulatory Act (Article 1446c, Vernon's Texas Civil Statutes).

S.B. 1002 by Andujar, Ogg State Affairs
Relating to local option elections concerning the sale of wine; amending Subsections (b) through (d), Section 251.14, Alcoholic Beverage Code.

S.B. 1003 by Andujar Jurisprudence
Relating to the definition of the term "person with an interest in the child"; relating to eligibility to adopt a child; amending the Family Code, as amended, by adding to Title 2, Family Code, Subdivision (10) of Section 11.01 and by amending Section 16.02, as amended; providing an effective date; and declaring an emergency.

S.B. 1004 by Andujar Jurisprudence
Relating to the effect of execution of certain affidavits of waiver of interest in a child; amending the Family Code, as amended, by adding to Title 2, Family Code, Subsections (e) and (f) of Section 15.041; providing an effective date; and declaring an emergency.

S.B. 1005 by Andujar Intergovernmental Relations
Relating to the sale by certain cities of a coliseum or stadium acquired under the authority of Chapter 400, Acts of the 61st Legislature, Regular Session (Article 1269j-4.2, Vernon's Texas Civil Statutes); and declaring an emergency.

S.B. 1006 by Glasgow Intergovernmental Relations
Relating to the compensation of county auditor in Denton County.

S.B. 1007 by Glasgow Intergovernmental Relations
Relating to the establishment of a Juvenile Board in Palo Pinto County.

S.B. 1008 by Meier State Affairs
Relating to the nonpartisan nomination and election of certain judicial officers.

S.B. 1009 by Meier Economic Development
Relating to the licensing of solar device installers; providing a penalty.

- S.B. 1010** by Meier Jurisprudence
Relating to adult and juvenile probation and community-based correctional services.
- S.B. 1011** by Meier Economic Development
Amending Article 5.02 Chapter 5 of Title 79, Revised Civil Statutes of Texas, 1925, establishing a maximum rate of interest for secondary mortgage loans.
- S.B. 1012** by Meier Jurisprudence
Relating to court-ordered counseling for parents of a delinquent child or a child in need of supervision.
- S.B. 1013** by Meier Economic Development
Relating to the application of the Unfair Claims Settlement Practices Act to nonprofit legal services corporations.
- S.B. 1014** by Meier Economic Development
Relating to the regulation of athletic trainers.
- S.B. 1015** by Andujar Jurisprudence
Relating to criminal complaints for parking offenses.
- S.B. 1016** by Parker Intergovernmental Relations
Relating to authority to establish a foreign trade zone in the Port Arthur Customs District.
- S.B. 1017** by Parker Economic Development
Relating to bids for public work.
- S.B. 1018** by McKnight Natural Resources
Relating to the subdivision of mineral-bearing land.
- S.B. 1019** by Harris State Affairs
Relating to the allocation of voting machines among polling places.
- S.B. 1020** by Farabee Finance
Relating to appropriations to the Coordinating Board, Texas College and University System.
- S.B. 1021** by Farabee State Affairs
Relating to the creation of the criminal justice coordinating council.
- S.B. 1022** by Ogg State Affairs
Relating to the fees for the recording and indexing of certain financing statements required for perfecting security interests.
- S.B. 1023** by Ogg State Affairs
Relating to the form and recordation of a financing statement to perfect a security interest.
- S.B. 1024** by Ogg Intergovernmental Relations
Relating to the powers and duties of county historical commissions and the county commissioners courts with respect to historical matters.

S.B. 1025 by Ogg Intergovernmental Relations
Authorizing certain counties to establish certain kinds of public facilities, to levy a hotel occupancy tax, and to issue bonds related thereto.

S.B. 1026 by Ogg Economic Development
Relating to the temporary licensing requirements of life insurance agents and defining agents to which this Act is applicable.

S.B. 1027 by Ogg Intergovernmental Relations
Relating to the release of any claim by the state to a certain one-acre tract of real property deeded to the former Office of Superintendent of Public Instruction.

S.B. 1028 by Ogg Jurisprudence
Relating to hospitals' liens on certain causes of action.

S.B. 1029 by Ogg Jurisprudence
Relating to the budget and duties of district clerks.

S.B. 1030 by Ogg Intergovernmental Relations
Relating to the exercise by a county of the power of eminent domain.

S.B. 1031 by Ogg State Affairs
Relating to the date for holding primary elections and conventions by political parties.

S.B. 1032 by Ogg, Traeger, State Affairs
Mengden, Santiesteban, Jones,
Blake, Brown, Harris, Howard, Meier
Relating to the selection of delegates to national presidential nominating conventions; providing a penalty.

S.B. 1033 by Truan Natural Resources
Relating to minimum shrimp size restrictions in outside water.

S.B. 1034 by Caperton Natural Resources
Relating to the authority of the commissioners court of Houston County to approve proclamations issued by the Parks and Wildlife Commission.

S.B. 1035 by Caperton Intergovernmental Relations
Relating to the jurisdiction of the County Court of Houston County and the transfer of cases and exchange of benches by the judges of the county courts.

S.B. 1036 by Caperton Intergovernmental Relations
Relating to the creation of a judicial district composed of the counties of Washington, Lee, Bastrop, and Burleson.

S.B. 1037 by Caperton Jurisprudence
Relating to the compensation of judges who hold court outside their own districts and their own counties.

S.B. 1038 by Caperton Jurisprudence
Relating to the office of bailiff of each district court and statutory county court.

- S.B. 1039** by Brooks Human Resources
Relating to personal identification certificates issued by the Department of Public Safety to elderly persons.
- S.B. 1040** by Brooks Human Resources
Relating to a requirement that health and peace officers notify mental health and mental retardation centers when serving warrants for emergency admissions of mental patients.
- S.B. 1041** by Brooks Human Resources
Relating to the prevention and treatment of alcohol abuse and alcoholism and to the offense of public intoxication.
- S.B. 1042** by Brooks State Affairs
Relating to a motor vehicle emissions inspection and maintenance program; providing penalties.
- S.B. 1043** by Brooks Jurisprudence
Relating to assaultive offenses.
- S.B. 1044** by Brooks Human Resources
Relating to exempting certain child-care facilities from licensing requirements, providing for their registration with the Texas Youth Council, and permitting them to be appointed managing conservator in suits affecting the parent-child relationship.
- S.B. 1045** by Brooks Natural Resources
Amending and clarifying Section 50.055, Texas Water Code, and validating certain proceedings thereunder.
- S.B. 1046** by Brooks, Parker Human Resources
Relating to regulation of radiologic technologists; providing penalties.
- S.B. 1047** by Brooks Finance
Relating to supplemental appropriations to Texas Southern University.
- S.B. 1048** by Brooks State Affairs
Relating to a fund to reimburse persons aggrieved by certain acts of notaries public.
- S.B. 1049** by Brooks Natural Resources
Relating to the net width of trawls used for catching shrimp.
- S.B. 1050** by Brooks Economic Development
Relating to the regulation and inspection of boilers, the revocation of Certificates of Operation issued for boilers and exemptions; amending Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 5221c, Vernon's Texas Civil Statutes); and declaring an emergency.
- S.B. 1051** by Brooks Economic Development
Relating to the construction of certain pressure vessels; providing for penalties for violations of the Act; providing an effective date; and declaring an emergency.

- S.B. 1052** by Brooks Finance
Relating to limitations on collection of property taxes.
- S.B. 1053** by Brooks Finance
Relating to the collection of delinquent taxes.
- S.B. 1054** by Caperton Jurisprudence
Relating to state funding for support personnel for certain district judges.
- S.B. 1055** by Jones Economic Development
Relating to workers' compensation and longshoremen's and harbor workers' compensation insurance.
- S.B. 1056** by Caperton State Affairs
Relating to state payments to survivors of probation or parole officers killed while performing official duties.
- S.B. 1057** by Mengden Natural Resources
Relating to bait-shrimping in certain areas.
- S.B. 1058** by Mengden Jurisprudence
Relating to temporary guardianships for certain people who are under undue influence.
- S.B. 1059** by Jones Economic Development
Relating to regulation of funeral directing and embalming; providing penalties.
- S.B. 1060** by Jones Finance
Conforming Title 2, Tax Code, to enactments of the 67th Legislature, Regular Session, 1981.
- S.B. 1061** by Kothmann State Affairs
Relating to special parking regulations for parking spaces or parking areas for permanently disabled persons; providing a penalty.
- S.B. 1062** by Kothmann Natural Resources
Relating to regulation of municipal solid waste disposal sites.
- S.B. 1063** by Glasgow Education
Relating to requiring payment of a credentials evaluation fee for all foreign students seeking admission to state institutions of higher education.
- S.B. 1064** by Travis Intergovernmental Relations
Relating to the compensation of the county engineer of Limestone County.
- S.B. 1065** by Santiesteban State Affairs
Relating to the confinement of federal prisoners in a county jail.
- S.B. 1066** by Santiesteban Finance
Relating to the appraisal of certain land, the use of which is limited to recreational, park, or open space purposes by deed restriction or voluntary restriction under certain circumstances; providing for the validity, filing, and enforcement of voluntary restrictions on land; providing for the reassessment of certain taxes; providing a tax penalty.

S.B. 1067 by Santiesteban, Intergovernmental Relations
Sarpalius
Relating to the sale, lease, or closure of public hospitals.

S.B. 1068 by Santiesteban Human Resources
Relating to physical restoration services for crippled children provided by hospital districts.

S.B. 1069 by Jones Economic Development
Relating to the premiums, premium rates, refunds, and forms for credit life insurance and credit accident and health insurance.

S.B. 1070 by Williams, Andujar Finance
Relating to the challenge of petitions of the Appraisal Review Board; Amending Chapter 41, Section 41.04 of the Property Tax Code of the Acts of 1979, 66th Legislature, Chapter 841, as Amended.

S.B. 1071 by Mauzy Human Resources
Relating to prehospital emergency medical services care; providing penalties.

S.B. 1072 by Mauzy State Affairs
Relating to the meaning of "qualified voter" for the purpose of responding to a challenge of a voter at a polling place.

S.B. 1073 by Mauzy State Affairs
Relating to the method of maintaining duplicate voter registration certificate files.

S.B. 1074 by Mauzy State Affairs
Relating to regulation of volunteer deputy voter registrars; providing a penalty.

S.B. 1075 by Brown State Affairs
Relating to notice of intent to change rates by public utilities; amending Article VI, Section 43(a) of the Public Utility Regulatory Act, Chapter 721, Acts of the 64th Legislature, Regular Session, 1975, as amended (Article 1446c, Vernon's Texas Civil Statutes); and declaring an emergency.

S.B. 1076 by Brown Intergovernmental Relations
Relating to the jurisdiction of the County Courts at Law Nos. 1 and 2 of Brazoria County and making provisions relative to the judges, personnel, and administration of the county courts in Brazoria County.

S.B. 1077 by Mauzy Finance
Relating to the compensation of the presiding judges of the administrative judicial districts.

S.B. 1078 by Farabee Jurisprudence
Relating to appeals to the Supreme Court and the courts of appeals in injunction proceeding, in cases where judgment of courts of appeal are final, and in cases where appeal is direct to the Supreme Court; authorizing writs of mandamus to district and county courts; amending Articles 4662, 1821, and 1824, Revised Civil Statutes of Texas, 1925, as amended, and Section 1, Chapter 14, Acts of the 48th Legislature, Regular Session, 1943 (Article 1738a, Vernon's Texas Civil Statutes).

S.B. 1079 by Richards Jurisprudence
Relating to classification as a capital offense of the murder of a prosecuting attorney or assistant prosecuting attorney.

S.B. 1080 by Richards Jurisprudence
Relating to workers' compensation insurance coverage of subcontractors.

S.B. 1081 by Uribe State Affairs
Relating to grievance procedures for state employees.

S.B. 1082 by Uribe Human Resources
Relating to the voluntary admission of minors to and right to release from mental hospitals; amending Article 5547-23 and Article 5547-25, Vernon's Texas Civil Statutes.

S.B. 1083 by Uribe Intergovernmental Relations
Amending Section 1 of Article 999e, TEX. REV. CIV. STAT. ANN., authorizing incorporated cities or towns to be self insured for peace officers and fire fighters in their employ against liability to third persons arising out of the operation, maintenance, or use of any motor vehicle owned or leased by a city or town, and declaring an emergency.

S.B. 1084 by Uribe State Affairs
Amending Article 6701m-1, as amended, to exclude the Texas State Board of Pharmacy from its provisions, and declaring an emergency.

S.B. 1085 by Uribe Jurisprudence
Relating to the right to counsel of a witness before a grand jury.

S.B. 1086 by Glasgow Jurisprudence
Relating to the eligibility for probation of certain criminal defendants who use or exhibit a deadly weapon during commission or flight from commission of the offense.

S.B. 1087 by Uribe Human Resources
Relating to the provision for the right to investigate the abuse of an elderly person.

S.B. 1088 by Uribe Human Resources
Amending Chapter 57, Acts of the 63rd Legislature, 1973, as amended, (Article 4477-20, Vernon's Texas Civil Statutes); providing authority for the Texas Board of Health to pay certain insurance premiums; increasing the standard yearly deduction to \$1,000; restating Section 9 to clarify the reimbursement obligation; providing certain grounds for modification, suspension or termination of services; providing authority for the institution of suits to collect certain reimbursements; expanding the requirements of the "third party liability" section; providing authority for the Texas Board of Health to waive the "third party liability" section in certain circumstances; and declaring an emergency.

S.B. 1089 by Uribe Human Resources
Relating to the prevention and control of infectious diseases in the state; providing penalties; and declaring an emergency.

S.B. 1090 by Uribe Economic Development
Relating to books and records of an insurance premium finance company.

S.B. 1091 by Uribe Natural Resources
Relating to extended fishery jurisdiction.

S.B. 1092 by Farabee Finance
Relating to the payment of salaries and other administrative expenses of the Texas Housing Agency.

S.B. 1093 by Uribe Human Resources
Relating to the regulation of lay midwives; providing penalties.

S.B. 1094 by Farabee Intergovernmental Relations
Relating to the jurisdiction of the 50th District Court and the county courts in the 50th Judicial District.

S.B. 1095 by Farabee Intergovernmental Relations
Relating to the jurisdiction of the county and district courts in certain counties.

S.B. 1096 by Caperton State Affairs
Relating to eligibility for extended unemployment compensation benefits; amending Section 6-A, Texas Unemployment Compensation Act, as amended (Article 5221b-4a, Vernon's Texas Civil Statutes), by adding a new Subsection (h).

S.B. 1097 by Vale Human Resources
Relating to a code of conduct for employees of state agencies who inspect and survey health care facilities.

S.B. 1098 by Vale Intergovernmental Relations
Amending Article 6243f, Vernon's Texas Civil Statutes (Firemen and Policemen's Pension Fund) so as to change the amount to be deducted from the wages of Firemen and Policemen for payment into the pension fund, with cities to match such deduction on a two to one ratio, change the average base years upon which pension benefits are computed, revise the maximum amount which may be invested in equities and change other investment guidelines, change certain definitions, change the method of calculation of pensions, and make changes pertaining to benefits for widows.

S.B. 1099 by Travis Economic Development
Relating to reduction in homeowners insurance premiums for compliance with certain security standards.

S.B. 1100 by Ogg State Affairs
Relating to monitoring charitable solicitations; registration of charitable organizations; annual reports as public records; registration of fund-raisers; prohibited acts; Secretary of State as administrator; and declaring an emergency.

S.B. 1101 by Ogg State Affairs
Relating to the utilization of efficient forms, records, and information management by state agencies.

S.B. 1102 by Ogg Jurisprudence
Relating to the independent administration of an estate.

S.B. 1103 by Ogg State Affairs
Relating to the annual fee for, and membership requirements under, a private club registration permit.

S.B. 1104 by Ogg Human Resources
Relating to a program for the relief of certain consumers of residential gas and electricity.

S.B. 1105 by Ogg, Brooks Human Resources
Relating to the definition of hospital projects under the Hospital Project Financing Act, Article 4437e-2, Vernon's Texas Civil Statutes; amending provisions in the Hospital Project Financing Act, Article 4437e-2, Vernon's Texas Civil Statutes, relating to the power of an issuer, as defined therein, to provide by acquisition a hospital project; partially amending Article 717k-2, Vernon's Texas Civil Statutes, as amended, as it relates to bonds and notes authorized to be issued by the Hospital Project Financing Act; and declaring an emergency.

S.B. 1106 by Ogg Intergovernmental Relations
Authorizing certain cities to establish, acquire, lease, purchase, construct, improve, enlarge, equip, repair, operate or maintain cultural facilities and parking facilities located at or in the immediate vicinity of such cultural facilities; authorizing such cities to expend funds derived from an additional mixed beverage tax for certain purposes; authorizing such cities to issue revenue bonds to provide all or part of the funds to provide such cultural facilities and parking facilities in order to accomplish the purposes of this Act and containing provisions relating to such bonds, charges made for the use of such facilities and the pledge of lease payments; authorizing the governing body of certain cities to request the Texas Alcoholic Beverage Commission to collect an additional mixed beverage tax not to exceed 3% of gross revenues of permittees, as defined in the Alcoholic Beverage Code, authorizing and obligating the Commission to levy such tax and containing provisions relating to such tax; providing for the use of revenues derived from such tax; providing that owners or holders of bonds issued pursuant to this Act shall never have the right to demand payment from taxes other than the additional mixed beverage tax authorized by this Act; making certain additional provisions with respect to any such bonds, including making the bonds investment securities and legal and authorized investments and eligible to secure the deposit of public funds; providing that this Act is cumulative of existing laws, but providing that this Act shall take precedence over inconsistent or conflicting laws and over all city charter provisions; providing a severability clause; containing other provisions relating to the subject; and declaring an emergency.

S.B. 1107 by Ogg Natural Resources
Relating to the composition, function, and authority of the Antiquities Committee and the regulation of activities that affect certain submerged archeological landmarks.

S.B. 1108 by Brown Jurisprudence
Relating to the reimbursement of counties by the State of Texas for funds paid to counsel appointed to defend persons who are in the custody of the Texas Department of Corrections; amending Article 26.05, Code of Criminal Procedure; and declaring an emergency.

S.B. 1109 by Santiesteban Intergovernmental Relations
Amending Chapter 805, Acts of the 66th Legislature, Regular Session, 1979, to permit the application of the Act to certain cities with a population of 400,000 or more, providing for severability, and declaring an emergency.

S.B. 1110 by Santiesteban Intergovernmental Relations
Relating to the expenditure of certain cities of proceeds from airport revenue
bonds without the necessity of competitive bids and performance and payment
bonds, providing for severability, and declaring an emergency.

S.B. 1111 by Santiesteban State Affairs
 Relating to certification, training and qualifications of law enforcement communications operators; providing for approval of schools for training recruits for jobs as such law enforcement communications operators or as jailers or guards at county jails or as reserve law enforcement officers or as peace officers; providing for temporary or probational appointments; providing penalties; amending Chapter 546, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 4413(29aa), Vernon's Texas Civil Statutes) as follows: amending Sections 2, 6A, 8A, and Subsection (a) of Section 7 and adding Section 6B.

S.B. 1112 by Santiesteban State Affairs
 Relating to the right of a peace officer to carry a weapon.

S.B. 1113 by Ogg **Intergovernmental Relations**
 Relating to policemen's retirement systems in certain cities with a population of 1,200,000 or more; providing for a retirement plan for employees hired after September 1, 1981 and declaring an emergency.

S.B. 1114 by Ogg Intergovernmental Relations
Relating to the operation and management of policemen's retirement systems in cities with a population of 1,200,000 or more; providing changes in definitions; an actuarial reserve funding method; providing protection to benefits; providing alterations in benefits; and repealing Sections 7 and 9(a) and declaring an emergency.

S.B. 1115 by Ogg Intergovernmental Relations
Relating to the management and operation of a firemen's relief and retirement system in cities of 1,200,000 or more and the management, funding and distribution of a firemen's relief and retirement fund in certain cities; providing for revised cost-of-living adjustments; altering the non-service connected disability benefits; providing an actuarial reserve funding method; repealing sections 7(f), 10(b) and 21; and declaring an emergency.

S.B. 1116 by Ogg Intergovernmental Relations
Relating to municipal pension systems in cities with a population of 1,200,000 or more; providing for a new benefit plan for employees hired after September 1, 1981; providing for actuarial reserve funding; and declaring an emergency.

S.J.R. 49 by Ogg **Finance**
Proposing a constitutional amendment authorizing relief for certain consumers of residential gas and electricity and dedicating a portion of taxes on natural gas.

S.J.R. 50 by Brooks Human Resources
Proposing a constitutional amendment to provide for automatic adjustment of the constitutional limit on appropriations for state assistance to needy persons.

S.J.R. 51 by Williams State Affairs
Amending Article III of the Texas Constitution to provide that interest rates on veterans land bonds shall be determined by the governing body of the issuer, but not to exceed 10% per annum unless approved by the legislature.

S.J.R. 52 by Williams State Affairs
Proposing a constitutional amendment to authorize the issuance of additional bonds of the state for the veterans' land fund.

S.C.R. 63 by Brooks State Affairs
Encouraging the state to develop a comprehensive program of community-based corrections and that restitution centers be utilized to the fullest extent.

S.C.R. 64 by Doggett Administration
Granting Frank E. Hejl permission to sue the State.

S.C.R. 65 by Meier Administration
Granting Thomas J. Tinker permission to sue the State.

S.C.R. 66 by Doggett Administration
Granting John M. Scanlan, et al, permission to sue the State.

S.C.R. 67 by Doggett Administration
Granting Associated Memorial Homes of the Greenbelt, Inc., permission to sue the State.

S.C.R. 68 by Doggett Administration
Granting Frank Curtis permission to sue the State.

S.C.R. 69 by Doggett Administration
Granting Paul Lindsey, Gayle Lindsey, and Linda Jill Lindsey permission to sue the State.

S.C.R. 70 by Sahtiesteban Administration
Granting Allstate Insurance Company permission to sue the State.

GUEST PRESENTED

The President presented to the Members The Honorable Jim McConn, Mayor of the City of Houston.

Mayor McConn was welcomed as a guest today.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Subcommittee on Nominations:

Austin, Texas
March 16, 1981

TO THE SENATE OF THE SIXTY-SEVENTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

TO BE PECOS RIVER COMPACT COMMISSIONER:

For a two-year term to expire January 23, 1983:

BILLY L. MOODY of Fort Stockton, Pecos County, is replacing Larry A. Vick of Houston, Harris County, whose term expired.

TO BE A MEMBER OF THE TEXAS BOARD OF MENTAL HEALTH AND MENTAL RETARDATION:

For a six-year term to expire January 31, 1987:

DAVID M. SHANNON of Odessa, Ector County, is replacing Edwin Ray Van Zandt of Rusk, Cherokee County, whose term expired.

Respectfully submitted,

William P. Clements, Jr.
Governor of Texas

HOUSE CONCURRENT RESOLUTION 104

The President laid before the Senate the following resolution:

H.C.R. 104, Commending The Honorable Abner McCall, President, Baylor University.

The resolution was read.

On motion of Senator Jones and by unanimous consent, the resolution was considered immediately and was adopted.

SENATE BILL 17 WITH HOUSE AMENDMENT

Senator Harris called **S.B. 17** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

Floor Amendment No. 1 - McFarland

Amend Senate Bill 17 by renumbering Section 2 as Section 3 and adding a new Section 2 to read as follows:

SECTION 2. Amend Section 57.45 of Chapter 57, Title 3, Texas Education Code by adding a new subsection (g) to read as follows:

(g) Loans guaranteed by the corporation may be assigned or transferred by the holders thereof to any eligible lender as provided by the Higher Education Act of 1965, as amended, notwithstanding the state in which the principal place of business of any such eligible lender is located. Any loan so assigned or transferred shall continue to be guaranteed by the corporation and, in the event of default, the corporation shall meet the claim out of the guarantee account established under Section 57.72, provided, however, any such subsequent holder shall be required to comply with other provisions of this chapter.

The amendment was read.

Senator Harris moved to concur in the House amendment.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Brown, McKnight, Vale.

COMMITTEE SUBSTITUTE SENATE BILL 709 ON SECOND READING

Senator Wilson asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 709, Relating to a requirement that a person hunting migratory game birds possess a migratory game bird stamp; providing a penalty.

There was objection.

Senator Wilson then moved to suspend the regular order of business and take up **C.S.S.B. 709** for consideration at this time.

The motion prevailed by the following vote: Yeas 26, Nays 2.

Yeas: Andujar, Blake, Brooks, Caperton, Doggett, Glasgow, Harris, Howard, Jones, Kothmann, Leedom, Mauzy, Meier, Mengden, Ogg, Parker, Richards, Santiesteban, Sarpalius, Snelson, Traeger, Travis, Truan, Uribe, Williams, Wilson.

Nays: Farabee, Short.

Absent-excused: Brown, McKnight, Vale.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 709 ON THIRD READING

Senator Wilson moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 709** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Yeas: Andujar, Blake, Brooks, Caperton, Doggett, Farabee, Glasgow, Harris, Howard, Jones, Kothmann, Leedom, Mauzy, Meier, Mengden, Ogg, Parker, Richards, Santiesteban, Sarpalius, Snelson, Traeger, Travis, Truan, Uribe, Williams, Wilson.

Nays: Short.

Absent-excused: Brown, McKnight, Vale.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 1.

Yeas: Andujar, Blake, Brooks, Caperton, Doggett, Farabee, Glasgow, Harris, Howard, Jones, Kothmann, Leedom, Mauzy, Meier, Mengden, Ogg,

Parker, Richards, Santiesteban, Sarpalius, Snelson, Traeger, Travis, Truan, Uribe, Williams, Wilson.

Nays: Short.

Absent-excused: Brown, McKnight, Vale.

GUEST PRESENTED

Senator Truan was recognized and presented to the Members Dr. Sam Rabon, Member of the State Board of Dental Examiners.

Dr. Rabon was welcomed as a guest of the Senate today.

SENATE RESOLUTION 351

Senator Ogg offered the following resolution:

S.R. 351, Requesting the Houston City Council to select the East Side site for construction of the new civic center.

OGG
BROOKS
MENGDEN
RICHARDS
WILLIAMS

The resolution was read.

On motion of Senator Ogg and by unanimous consent, the resolution was considered immediately and was adopted.

MOTION TO PLACE SENATE CONCURRENT RESOLUTION 53 ON SECOND READING

Senator Sarpalius moved to suspend the regular order of business to take up for consideration at this time:

S.C.R. 53, Memorializing Congress not to adopt the split-basing mode for the deployment of the M-X missile system.

The motion was lost by the following vote: Yeas 17, Nays 11. (Not receiving two-thirds vote of Members present)

Yeas: Andujar, Brooks, Caperton, Doggett, Farabee, Glasgow, Howard, Kothmann, Mengden, Ogg, Richards, Santiesteban, Sarpalius, Short, Snelson, Uribe, Williams.

Nays: Blake, Harris, Jones, Leedom, Mauzy, Meier, Parker, Traeger, Travis, Truan, Wilson.

Absent-excused: Brown, McKnight, Vale.

FLOOR PRIVILEGES GRANTED

On motion of Senator Farabee and by unanimous consent, D'Lynn Davidson was granted permission to sit at Senator Farabee's desk.

SENATE BILL 683 ON SECOND READING

On motion of Senator Farabee and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 683, Relating to the duties and powers of the attorney general.

The bill was read second time and was passed to engrossment.

SENATE BILL 683 ON THIRD READING

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 683** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Brown, McKnight, Vale.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 0.

Absent-excused: Brown, McKnight, Vale.

COMMITTEE SUBSTITUTE SENATE BILL 384 ON SECOND READING

On motion of Senator Caperton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 384, Relating to the requirement of notice for the defense or rebuttal of alibi; amending the Code of Criminal Procedure, 1965, as amended, by adding a new Article 27.111; and declaring an emergency.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 384 ON THIRD READING

Senator Caperton moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 384** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Brown, McKnight, Vale.

The bill was read third time and was passed.

SENATE BILL 441 ON SECOND READING

On motion of Senator Doggett and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 441, Relating to continuation of the Polygraph Examiners Board and regulation of the operators of devices that are intended to determine if a person is telling the truth and to disclosure of the information acquired from the devices; providing penalties.

The bill was read second time and was passed to engrossment.

SENATE BILL 441 ON THIRD READING

Senator Doggett moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 441** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Brown, McKnight, Vale.

The bill was read third time and was passed.

SENATE BILL 665 ON SECOND READING

On motion of Senator Traeger and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 665, Relating to the collection of fees for boiler inspections.

The bill was read second time and was passed to engrossment.

SENATE BILL 665 ON THIRD READING

Senator Traeger moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 665** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent-excused: Brown, McKnight, Vale.

The bill was read third time and was passed.

SENATE BILL 671 ON SECOND READING

On motion of Senator Jones and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 671, Relating to the assistant secretary of state.

The bill was read second time and was passed to engrossment.

**VOTE ON ENGROSSMENT OF
SENATE BILL 671 RECONSIDERED**

On motion of Senator Jones and by unanimous consent, the vote by which **S.B. 671** was engrossed was reconsidered.

Question - Shall **S.B. 671** be engrossed?

Senator Mengden offered the following amendment to the bill:

Amend **S.B. 671** by inserting in quoted Article 4331 of Section 1 the following new number 8 and renumbering the remaining duties accordingly:

"8. Distribute copies of legislative resolutions passed by both houses of the Legislature to the President, Members of Congress representing Texas, or other federal or State officials specified in the resolution if the resolution by its terms directs the Secretary of State to do so."

The amendment was read.

Question - Shall the amendment be adopted?

MEMORIAL RESOLUTIONS

S.R. 348 - By Snelson: Memorial resolution for Mrs. Alma Dietel.

S.R. 349 - By Snelson: Memorial resolution for Oscar Haas.

S.R. 350 - By Glasgow: Memorial resolution for Wayne Hutson.

WELCOME AND CONGRATULATORY RESOLUTIONS

H.C.R. 91 - (Travis) Commending former State Representative Forrest Green on legislative service.

H.C.R. 96 - (Brooks) Extending congratulations to Marshal T. R. Coney.

H.C.R. 100 - (Doggett) Recognizing contributions of William Menefee to the State in its infancy.

H.C.R. 101 - (Jones) Extending congratulations to James Haller, Baylor University basketball coach.

H.C.R. 103 - (Andujar) Commending Wayne A. Rohne, Mayor of Pantego.

S.C.R. 72 - By Doggett: Extending congratulations to Stephen F. Austin High School on the occasion of their centennial celebration.

S.R. 345 - By Mauzy: Commending Mrs. Alta Owens for her efforts on behalf of the Democratic Party.